Standard Operating Procedure
4.10
CALEA Reference: 41.3.9
NCLEA Reference: N/A

Automated License Plate Readers

Purpose

To provide guidance for the capture, storage, and use of digital data obtained through the use of Automated License Plate Reader (ALPR) technology (N.C.G.S. §20-183.31).

Procedure

The Fayetteville State University Department of Police & Public Safety (FSU DPPS) will utilize ALPR technology to capture and store digital license plate data and images while recognizing the public's established privacy rights. All data and images gathered by the ALPR are for the department's official use. Due to their confidential nature, such data is not open to public view.

I. Administration

1. Authorized Use and Access (CALEA 41.3.9 b)

   a. Automated LPRs will only be used for official law enforcement purposes.

   b. Only law enforcement officers are authorized to utilize the automated LPR system and its equipment.

   c. Authorized users will not access department, state, or federal data without prior authorization.

2. Uses of Automated License Plate Readers (CALEA 41.3.9 a)

   a. Automated LPRs will be utilized for the detection of license plates. Data associated with vehicle license plates and other information gathered during the investigation are for official law enforcement purposes only, including:

      - Identifying stolen or wanted vehicles
      - Stolen license plates
      - Active warrants
      - Homeland security
      - Electronic surveillance

- Missing persons
- Suspect interdiction
- Stolen property recovery

b. An ALPR may be used in conjunction with any routine patrol operation or criminal investigation. Reasonable suspicion or probable cause is not required before using an ALPR.

c. LPRs may be used to canvas license plates around any crime scene. Partial license plates reported during major crimes should be entered into the automated LPR system to identify suspect vehicles.

d. Per N.C.G.S. §20-183.31, automated LPR data will not be used for the enforcement of traffic violations.

e. Any traffic stops initiated based on an alert from the automated LPR system must comply with all laws and procedures related to traffic stops.

f. No ALPR operator may access confidential department, state or federal data unless authorized to do so.

g. If practicable, the officer should verify an ALPR response through the Division of Criminal Investigation Network (DCIN) before taking enforcement action that is based solely on an ALPR alert (N.C.G.S. §20-183.31).

3. Supervisor Responsibilities

Supervisors should appropriately monitor ALPR operators to ensure that the use of the ALPR equipment and data is consistent with this written directive. Any use of the ALPR system that violates the restrictions contained in this policy may result in disciplinary action.

II. Training (CALEA 41.3.9 c)

The Department shall provide documented initial and periodic training for authorized users on the use and operation of the ALPR equipment, the collection of ALPR data and the security and release of ALPR data.

III. Security (CALEA 41.3.9 b)

1. All automated LPR data will be safeguarded and protected by both procedural and technological means.
2. Personnel will ensure that all automated LPR data is only downloaded to FSU issued

devices equipped with login and password protected access systems.

IV. Data Collection and Retention (CALEA 41.3.9 d)

1. The Administrative Commander is responsible for ensuring systems and processes are in place for the proper collection and retention of automated LPR data.

2. All automated LPR data will be stored in accordance with the established records retention schedule. Thereafter, automated LPR data will be purged after 90 days unless a warrant has been issued, or the data is subject to a written and sworn retention request submitted pursuant to N.C.G.S.§20-183-32.

V. Releasing Automated LPR Data

1. ALPR data shall only be shared with another law enforcement agency or prosecutor upon a written request, which may be made electronically with the approval of the Chief of Police or their designee. The release of ALPR data is not required if the disclosure of requested ALPR data will compromise an on-going investigation.

2. In some instances, LPR data may be released to the public for assistance with investigations after authorization from the Chief of Police or their designee.

VI. Requests to Outside Agencies

1. Personnel requesting the release of automated LPR data that is collected and maintained by another agency will obtain supervisory approval prior to making the request.

2. Personnel will submit the request according to the procedure adopted by the agency maintaining the data.

3. Personnel requesting the data will submit a sworn statement as required by N.C.G.S §20-183.32.

4. A copy of all requests will be maintained in the case file by the investigating officer.

5. Efforts should be made as soon as practicable to obtain a search warrant to access the requested data. If the data is no longer needed, the personnel making the request will contact the agency maintaining the data to cancel the request.